

THE HON'BLE SRI JUSTICE B. PRAKASH RAO
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.A.No. 116 of 2006

Between:

G. Narayana Rao & another

..... Appellants

and

The Deputy Commissioner of Endowments & another.

..... Respondents.

THE HON'BLE SRI JUSTICE B. PRAKASH RAO
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.A.No. 116 of 2006

JUDGMENT: *(per the Hon'ble Sri Justice B. Prakash Rao)*

Heard the learned counsel on either side and at their request the main appeal itself is taken up for 'hearing and disposal'.

The unsuccessful petitioners are the appellants herein. They seek to assail the order, dated 29.12.2005, rejecting the writ petition, being W.P.No.27932 of 2002, filed by them seeking *mandamus* declaring the proceedings, dated 23.12.2005, issued by the second respondent, terminating their services, as illegal.

Though several contentions are urged regarding the termination effected, the learned Single Judge, while taking into consideration the objections raised on behalf of the respondents to the effect that the expenditure of the establishment exceeded 60%, held that the question of the petitioners-appellants reinstating into service does not arise and therefore did not find favour with the appellants.

We have heard the learned counsel on either side and perused the material available on record. As against the order of this nature, the appellants have got

alternative and efficacious remedy of appeal under Section 37 of the A.P. Charitable & Hindu Religious Institutions and Endowments Act, 1987.

Having regard to the same, without going into the merits of the case, We dismiss the writ appeal, with liberty to the appellants to approach the appellate authority and file the appeal. It is directed that the same shall be considered and disposed of on its own merits, uninfluenced by any of the observations made by this Court. There shall be no order as to costs.

(B.PRAKASH RAO.J)

(RAMESH RANGANATHAN.J)

ksld

Dt.03.02.2006

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